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Company, as trustees, and others. From a decree denying the executrix contain commissions, she appeals. Reversed and remanded.

Wellford & Taylor, of Richmond, for appellant.

Daniel Grinnan and Christian, Gordon & Christian, all of Richmond, for appellees.

BOYD *v.* BOYD.

June 11, 1914.

[82 S. E. 110.]

1. Libel and Slander (§ 121*)—Insulting Words—Excessive Damages.—Where defendant, being sent for by his father to get some medicine, sent back word for him to make "that damned bitch that sits dressed up by him all the time go," meaning plaintiff, defendant's stepmother, and afterwards, in their presence, said he meant what he said, a verdict of \$3,000 is not so grossly excessive as to shock the moral sense or to indicate that the jury were actuated by prejudice, so as to authorize the court to set it aside on that ground, or to require plaintiff to take a less amount as a condition of not granting a new trial.

[Ed. Note.—For other cases, see Libel and Slander, Cent. Dig. §§ 353, 354; Dec. Dig. § 121.* 9 Va.-W. Va. Enc. Dig. 280.]

2. Libel and Slander (§ 101*)—Insulting Words—Presumption of Damages.—The law presumes damages resulting from the utterance of insulting words, made actionable by the statute, as it does where the words are actionable per se; so that, to recover, proof of actual or pecuniary loss is unnecessary.

[Ed. Note.—For other cases, see Libel and Slander, Cent. Dig. §§ 150, 273, 275-280; Dec. Dig. § 101.* 9 Va.-W. Va. Enc. Dig. 280.]

*For other cases see same topic and section NUMBER in Dec. Dig. & Am. Dig. Key No. Series & Rep'r Indexes.

Error to Corporation Court of Lynchburg.

Action by Mrs. E. W. Boyd against Harry Boyd. There was a judgment for an amount which plaintiff was required to accept in lieu of the verdict, as a condition to denial of new trial, and plaintiff brings error. Reversed and rendered.

John L. Lee and Volney E. Howard, both of Lynchburg, for plaintiff in error.

Wilson & Manson, T. G. Hobbs, and *Harrison & Long*, all of Lynchburg, for defendant in error.

*For other cases see same topic and section NUMBER in Dec. Dig. & Am. Dig. Key No. Series & Rep'r Indexes.